

**Notice of Allowability**

Application No.

10/063,058

Examiner

Mark Kopec

Applicant(s)

HOSSAN ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed 3/15/02.
2. ☒ The allowed claim(s) is/are 30.
3. ☒ The drawings filed on 15 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

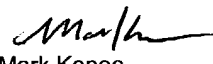
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Mark Kopec  
Primary Examiner  
Art Unit: 1751

Art Unit: 1751

The following is an examiner's statement of reasons for allowance:

Silvi et al (5,843,340) discloses Conductive polyphenylene ether-polyamide compositions having excellent ductility are prepared by melt blending polyphenylene ether, an unsaturated impact modifying polymer and a functionalizing compound in an initial step, optionally in combination with a portion of the polyamide, and subsequently melt blending with the remainder of the polyamide and conductive carbon black having a low volatiles content. A mixture of polyamides, illustrated by mixtures of polyamide-6 and polyamide-66, is employed (Abstract). Examples disclose compatibilized polyphenylene ether-polyamide blends were prepared by extrusion in twin-screw corotating extruders having screws of standard design. Each extruder was fitted with an upstream feed throat and a downstream feed port; the upstream portion was atmospherically vented and the downstream portion vacuum vented. Polyphenylene ether, impact modifier, citric acid and a portion of the polyamide-6 employed were introduced through the upstream feed port, and carbon black, the remainder of the polyamide and in certain specified examples within Tables I, II, and III a minor proportion of lubricant/ densifying agent were added downstream. Small proportions of stabilizers were also

Art Unit: 1751

incorporated in the blend; experience has shown that the stabilizers and lubricant/ densifying agent have no effect on the ductility or conductivity properties of the blends. Extrusion temperatures were in the range of 275.degree.-293.degree. C. (Col 6, lines 1-18).

MarieLohmeijer et al (5,977,240) discloses a thermoplastic composition comprising (a) a compatibilized polyphenylene ether-polyamide base resin, and (b) 1-7 parts by weight per 100 parts by weight of (a) of an electroconductive carbon black, with an Izod notched impact strength of more than 15 kJ/m.<sup>2</sup> and a volume resistivity of less than 10.<sup>6</sup> Ohm.cm. The compositions of the invention are suitable for molding objects which can easily be painted by an electrostatic coating process. The invention further provides a process for the preparation of the composition of the invention comprising at least two steps. In the first step the base resin is formed. In a further step the carbon black is incorporated in the base resin (Abstract). In the second step of the above indicated process the electroconductive carbon black is preferably incorporated into the polyphenylene ether polyamide base resin after the base resin has been brought into a hot molten state of at least 300 degrees Centigrade. The electroconductive black can be added as such or

Art Unit: 1751

in the form of a master batch comprising a polymer and the electroconductive carbon black (Col 2, lines 15-23).

The references do not disclose or fairly suggest the claimed process wherein 20-75 parts of a second polyamide are added to a second port and about 5-40 parts of a carbon black/third polyamide concentrate are added to a second or third port. Additionally, the references do not disclose the claimed screw length to diameter, nor is such an inherent certainty. Note also the examples/comparative examples in the instant specification.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Kopec whose telephone number is (571) 272-1319. The examiner can normally be reached on Monday - Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the

Art Unit: 1751

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Kopec  
Primary Examiner  
Art Unit 1751

MK  
April 9, 2004